

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

JEANINE A. SORTISIO and STEVEN R.
SORTISIO,

Plaintiffs,

v.

PETER ACCETTA, M.D., SUSAN M.
PETERSON, RPA-C, ASTELLAS PHARMA
US, INC., and NOVARTIS
PHARMACEUTICALS CORPORATION,

Defendants.

Index No. 2009-001945

NOTICE OF FILING A
NOTICE OF REMOVAL

TO: David W. Olson
BROWN CHIARI
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Counsel for Plaintiffs

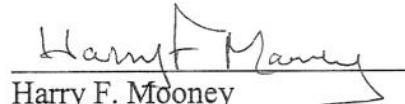
Peter J. Skalaban Jr.
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1350 I Street NW
Washington, DC 20005

Counsel for Defendant
Novartis Pharmaceuticals Corporation

PLEASE TAKE NOTICE, that the defendant, ASTELLAS PHARMA US, INC., has filed a Notice of Removal of the above-captioned action from Supreme Court, State of New York, County of Erie, to the United States District Court for the Western District of New York on February 27, 2009.

DATED: Buffalo, New York
February 27, 2009

HURWITZ & FINE, P.C.


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Harvey L. Kaplin
Mark C. Hagarty
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Pharma US, Inc.*
2555 Grand Boulevard
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CERTIFICATE OF SERVICE

I hereby certify that I have this 27th day of February, 2009, served a copy of the foregoing Notice of Filing Notice of Removal upon the firms indicated below by mailing a copy of same via U.S. Postal Service to the following:

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